

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, DECEMBER 1, 1999  
7:00 P.M.**

1. ROLL CALL

Present: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)

Absent: Council Members – None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Prima,  
Community Development Director Bartlam, City Attorney Hays and City Clerk  
Reimche

2. INVOCATION

The invocation was given by Reverend David Hill, Grace Presbyterian Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Girl Scouts Tierra del Oro Council Color Guard Unit.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Land presented the Mayor's Community Service Award to Bill and Carol Meehleis and to Theo Vandenberg for their generosity in giving of their time and talents to this community.
- b) Mayor Land presented a proclamation to Captain Pidgeon with the Lodi Salvation Army in recognition of the Salvation Army Christmas Bell Ringing Campaign.
- c) Theo Vandenberg, member of the Arts Commission, updated the City Council on the many activities and accomplishments of the Lodi Arts Commission.
- d) Lodi Police Officer Dennis Lewis made a presentation to the City Council regarding the Lodi Adopt-A-Child Christmas Program. This year Adopt-A-Child is partnering with the Lodi Salvation Army and the Lodi Community Service Center in order to better help the 902 children signed up in the program. Anyone interested in making a donation, adopting a child or volunteering was urged to call Lodi Adopt-A-Child at 333-1056 or visit their office at 23 West Pine Street.
- e) Christine Wied, with Central Valley Waste Services (CVWS), made a presentation to the City Council regarding its "6<sup>th</sup> Annual Coats and Cans at the Curb" Program. During the week of December 7 – 10, 1999, CVWS will pick up any canned goods and good used or new coats and blankets left near the trash carts. Guild Cleaners has graciously offered to clean the coats and blankets, which are then distributed to those in need by the Salvation Army and other organizations.

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5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pennino, Hitchcock second, unanimously approved the following items hereinafter set forth:

- a) Claims were approved in the amount of \$2,864,671.86.

- b) The minutes of November 11, 1999 (Joint Meeting with Representatives of the Leading Sales Tax Producers in the City of Lodi), November 16, 1999 (Special Meeting) and November 17, 1999 (Regular Meeting) were approved as written.
- c) Adopted Resolution No. 99-191 authorizing the purchase of miscellaneous compressed natural gas (CNG) compressor parts from Sulzer Compression, Inc. in the amount of \$21,525.
- d) Adopted Resolution No. 99-192 authorizing the purchase of a new digital Toshiba Notebook Computerized Voice Stress Analyzer computer from National Institute for Truth Verification (NITV) in the amount of \$6,000.
- e) Adopted Resolution No. 99-193 authorizing the Police Department to purchase equipment for the Serial Number Restoration Program in the amount of \$500.
- f) Accepted the improvements under the "Destruction of Eight Water Wells, East Lodi Avenue" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- g) Directed the City Manager and City Clerk to execute the Improvement Agreement for the Public Improvements of Sunwest Marketplace (APN #027-040-030) on behalf of the City and appropriated funds for the required fee credits/reimbursements.
- h) Authorized the City Manager to execute a professional service agreement, in the amount of \$40,000, with Stantec Consulting Inc. for the G-Basin Drainage Area Study, and appropriated funds in accordance with staff recommendation.
- i) Authorized the City participation in the amicus briefs for the following designated cases:
  - Friends of Mammoth et al. v. The Mammoth Lakes Redevelopment Project, California Court of Appeal, Third Appellate District, Case No. C031043
  - Marguerite Treweek v. City of Napa, California Court of Appeal, First Appellate District, Case No. A087820
  - Zelig v. County of Los Angeles, California Supreme Court, Case No. S081791
  - Utility Cost Management v. East Bay Municipal Utility District (EBMUD), Court of Appeals, First Appellate District, Case No. A087191

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6. PUBLIC HEARINGS

None.

7. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Mayor Pro Tempore Mann, Nakanishi second, unanimously rejected the following claims:
  - 1. Vanadeane Brooks, date of loss 9/21/99
  - 2. Dean Burnside, date of loss 9/22/99
  - 3. Mark Quenzer, date of loss 7/27/99
  - 4. Beacon Ultramar, #3696, date of loss 9/26/99
  - 5. Jasper Laraway, denial of application to present late claim, date of loss 12/9/98
- b) City Clerk Reimche read the following ABC Licenses:
  - 1. Ernes Esparza to Jose Dorado and Modesta Aguilar, El Pajaro, 212 South School Street, Lodi, Small Beer Manu., Person to Person Transfer

*Continued December 1, 1999*

- c) City Clerk Reimche informed the City Council that she received an Application from Pacific Gas & Electric for a gas rate increase and electric revenue increase; cost of capital proceeding. This was presented as information only, no Council action was required.

8. REGULAR CALENDAR

None.

9. ORDINANCES

- a) Mayor Land introduced the matter regarding Ordinance No. 1685 entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Chapter 10.44 Of The Lodi Municipal Code By Repealing And Reenacting Sections 10.44.040 (A) And (C), Relating To Display Of 'For Sale' Signs On Vehicles, Vessels Or Trailers On City Streets".

Council Member Pennino indicated that he was not in favor of the no-parking within 200 feet of an intersection because he felt this was too restrictive.

Council Member Hitchcock made a motion, Pennino second, to amend the overall 200 foot restriction to a 75 foot restriction within an uncontrolled intersection and a 200 foot restriction within a controlled intersection. The motion carried by a unanimous vote.

Further, amended Ordinance No. 1685 entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Chapter 10.44 Of The Lodi Municipal Code By Repealing And Reenacting Sections 10.44.040 (A) And (C), Relating To Display Of 'For Sale' Signs On Vehicles, Vessels Or Trailers On City Streets" having been introduced at a regular meeting of the Lodi City Council held November 17, 1999 was brought up for passage on motion of Council Member Hitchcock, Pennino second. Second reading of the amended ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)  
Noes: Council Members – None  
Absent: Council Members – None

10. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

There was no one wishing to speak under this segment of the agenda.

11. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Mayor Land reminded the public that the Parade of Lights will be held in Downtown Lodi on Thursday, December 2, 1999 at 6:27 p.m. Also on the 2<sup>nd</sup> is the Hospice Tree of Lights ceremony in front of City Hall.

Mayor Land announced that Boy Scout Troop 291 is selling Christmas wreaths for the holiday season. Anyone interested can visit their office in Downtown Lodi on the 100 block of North School Street.

- b) Mayor Pro Tempore Mann acknowledged the passing away of Vicky Vansteenberge. She was truly a grand lady who did a lot for this community.
- c) Council Member Hitchcock thanked Mayor Land for being a great Mayor and doing a wonderful job this past year.

- d) Council Member Nakanishi also thanked Mayor Land for doing such a great job during his mayorship. Dr. Nakanishi reported on his observations of being on the Council during this past year. The City Council conducted 150 meetings, participated in parades and various events and made many important decisions. He has had a great time being on the Council and enjoyed working with his fellow Council Members, but what he enjoyed most was meeting the people of this community. It is the people who make this community great.

Council Member Nakanishi stated that when he first came on to the Council, he had three major concerns: fiscal soundness, contamination and electric utility deregulation. After this first year, he can confidently say that Lodi is fiscally sound when comparing it to other cities, the contamination issue is actively being addressed with a major clean up plan, and Lodi is in a good position in regards to electric utility deregulation. Dr. Nakanishi sees a bright future for the City of Lodi, and he is looking forward to the next year and to the 21<sup>st</sup> Century.

## 12. REORGANIZATION OF THE CITY COUNCIL

Mayor Land opened this matter and made remarks regarding this past year. Further, Mayor Land thanked the public for its continued input in City matters and thanked the City Manager's office, the City Attorney's office, the City Clerk's office, and all City departments and their talented staff in moving this City forward. Mayor Land then introduced his grade school teacher, Sara Heberle, and his family, with special recognition for his wife, Marcia, for her continued support and patience during this busy year.

City Clerk Reimche then called former Council Member and Judge David Warner to the podium to make comments and to make a presentation to outgoing Mayor Land. Judge Warner and City Clerk Reimche presented Mayor Land with several gifts in appreciation for his dedicated service to the City and to the citizens of this community.

Sara Heberle, Mayor Land's former grade school teacher, made brief comments regarding Mayor Land and what a good student he was in school. She is proud that he has become so successful and has made such a great impact on this community.

Judge Warner and City Clerk Reimche then presented outgoing Mayor Pro Tempore Mann with a gift in appreciation for his efforts during this past year.

City Clerk Reimche, presiding as Mayor, then opened the nominations for the office of Mayor. Council Member Mann was nominated to office of Mayor by Council Member Nakanishi, Pennino second. There being no further nominations, City Clerk Reimche closed the nominations for office of Mayor. The City Council unanimously elected Council Member Mann as Mayor for the City of Lodi.

Following the election of Mayor, newly elected Mayor Mann opened the nominations for the office of Mayor Pro Tempore. Council Member Nakanishi was nominated to office of Mayor Pro Tempore by Council Member Pennino, Land second. There being no further nominations, Mayor Mann closed the nominations for office of Mayor Pro Tempore. The City Council unanimously elected Council Member Nakanishi as Mayor Pro Tempore for the City of Lodi.

Newly elected Mayor Mann thanked the City Council for its support. He is honored to be the Mayor for a second time, and he assured the public he will do the best job he can. Mayor Mann introduced his mother, Nancy Mann, and his wife, Jill.

Newly elected Mayor Pro Tempore Nakanishi also thanked the City Council and the City of Lodi for their support. The Council works well together and staff does a tremendous job. Mayor Pro Tempore Nakanishi introduced his wife, Susan, and his three children.

13. MEETING OF THE LODI PUBLIC IMPROVEMENT CORPORATION

Mayor Mann adjourned the City Council meeting at approximately 8:15 p.m. to a meeting of the Lodi Public Improvement Corporation, whereby President Land convened the meeting of the Corporation.

Secretary Reimche called the meeting to order, and the Corporation, on motion of Director Pennino, Hitchcock second, unanimously adopted Resolution No. 99-2 electing officers of the Lodi Public Improvement Corporation.

There being no further business, the meeting was adjourned.

14. MEETING OF THE INDUSTRIAL DEVELOPMENT AUTHORITY

Chairman Land convened the meeting of the Industrial Development Authority.

Secretary Reimche called the meeting to order, and the Authority, on motion of Member Hitchcock, Mann second, unanimously adopted Resolution No. IDA-19 electing officers of the Industrial Development Authority.

There being no further business, the meeting was adjourned.

15. MEETING OF THE LODI FINANCING CORPORATION

President Land convened the meeting of the Lodi Financing Corporation.

Secretary Reimche called the meeting to order, and the Corporation, on motion of Director Pennino, Hitchcock second, unanimously adopted Resolution No. LFC-5 electing officers of the Lodi Financing Corporation.

There being no further business, the meeting was adjourned.

16. MEETING OF THE REDEVELOPMENT AGENCY OF THE CITY OF LODI

Chairman Land convened the meeting of the Redevelopment Agency of the City of Lodi.

Secretary Reimche called the meeting to order, and the Agency, on motion of Member Hitchcock, Pennino second, unanimously adopted Resolution No. RDA99-10 electing officers of the Redevelopment Agency of the City of Lodi.

There being no further business, the meeting was adjourned at approximately 8:19 p.m., and the City Council meeting was reconvened.

17. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at approximately 8:19 p.m.

ATTEST:

Alice M. Reimche  
City Clerk